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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/705,858	11/03/2000	Felix G.T.I. Andrew	205350	6381

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EXAMINER	
ZHEN, LI B	
ART UNIT	**PAPER NUMBER**
2126	

DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/705,858	ANDREW ET AL.	
	Examiner	Art Unit	
	Li B. Zhen	2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 March 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 – 32 are pending in the application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent NO. 5,768,119 to Havekost.**

4. As to claim 15, Havekost teaches a method of displaying a notification received [alarm and event monitoring and display system for which various users of the system can easily prioritize the alarm and event information that is displayed; col. 3, lines 39 – 54] from one of a plurality of objects at a notification component [event/alarm management subsystem configures, monitors, and supplies notification of significant system states, acknowledgments and priority calculations; col. 19, lines 23 – 39] adapted to receive notifications from the plurality of objects [new alarm state for the existing alarm is recorded by the Module, a new event occurrence record is constructed, and is been queued for transmission to devices monitoring this Plant Area in this Device; col. 44, lines 39 – 54] and adapted to receive notifications of different notification classifications [Alarm Attribute furnishes reference to any boolean Attribute

within the Control Module or Equipment Module containing the Attribute; col. 32, lines 9 – 16], the method comprising the steps of:

determining, by the notification component, a notification classification [an "alarm" event type which distinguishes from other event journal entries; col. 38, lines 10 – 23]; and

rendering, by the notification component, the notification in accordance with the notification classification [Alarm Attribute has multiple fields that provide a user-visible interface; col. 32, line 65 – col. 33, line 28] and a user specified priority [user sets a desired alarm priority, selecting high importance alarms for more urgent display and annunciation and rendering a lower display status to less urgent events; col. 3, lines 39 – 55].

5. As to claim 1, this is rejected for the same reasons as claim 15 above.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. **Claims 2 – 4, 6, 10 – 14, 16 – 20, 23 and 26 - 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Havekost in view of U.S. Patent NO. 6,412,021 to Nguyen [cited in previous office action].**

8. As to claim 2, Havekost teaches displaying a notification but does not teach determining a medium to render a notification [col. 3, lines 39 – 55].

However, Nguyen teaches determining a notification medium to render the notification [a possible response to an applet event indicating receipt of new mail is to call a setIcon () method to change the image of the button icon in the selection bar to indicate that new mail has arrived...other notification methods may be called by the event handler of notification class 601 in response to specific events include setFlashingGlyph (), setFixedGlyph (), playAudioClip () and showMessageDialog (), Fig. 6; column 12, lines 20 – 40].

9. It would have been obvious to a person of ordinarily skilled in the art at the time of the invention to apply the teaching of determining a notification medium to render the notification as taught by Nguyen to the invention of Havekost because this provides multiple methods of displaying an notification such as a dialog box and changing the image or images associated with the button icon [col. 4, lines 52 – 67 of Nguyen].

10. As to claim 3, Havekost as modified teaches determining an area on a display to render the notification [a possible response to an applet event indicating receipt of new mail is to call a setIcon () method to change the image of the button icon in the selection bar to indicate that new mail has arrived...other notification methods may be called by the event handler of notification class 601 in response to specific events include setFlashingGlyph (), setFixedGlyph (), playAudioClip () and showMessageDialog (), Fig.

6; column 12, lines 20 – 40 of Nguyen]. The location can be either in the selection bar or a dialog box.

11. As to claim 4, Havekost as modified teaches receiving a property of the notification, and receiving a notification to be sent to the user [Each applet event is an instance of an applet event class, and contains an event ID...event ID is used by an event handler to classify the type of event for use in determining an appropriate response to the event; column 12, lines 20 – 40 of Nguyen].

12. As to claim 6, Havekost as modified teaches selecting one of a display notification [a setIcon () method to change the image of the button icon in the selection bar to indicate that new mail has arrived...setFlashingGlyph (), setFixedGlyph (), and showMessageDialog (); column 12, lines 20 – 40] and an audio notification [playAudioClip (); column 12, lines 20 – 40 of Nguyen].

13. As to claims 10 and 11, Havekost as modified teaches queuing the notification [applet 602 is able to generate applet events, such as applet event 603, and place those events on event queue 613 of notification class 601, Fig. 6B; column 12, lines 13 – 19 of Nguyen]. As to the queue arranged according to the priority of the notification, see the rejection to claim 15 above.

14. As to claim 12, Havekost as modified teaches flushing a queue of prior notifications [In step 2522, RtModule tells RtActiveAlarmList to clearEventOccurrence, thereby removing the existing entry from the list; col. 46, lines 2 – 28 of Havekost].

15. As to claim 13, Havekost as modified teaches determining the priority to assign the notification comprises the step of determining a number of times the user is provided notification [process control system 100 consolidates many potential Active Alarm conditions into a short list of "highest priority" alarms; col. 33, line 60 – col. 34, line 5 of Havekost].

16. As to claim 14, Havekost as modified teaches determining a notification classification of the notification [notification class instance interprets the type of event from the event ID and handles the event as appropriate; column 4, lines 65 – 67 of Nguyen], a user preference list [a configuration file...contains information associated with...the location of the code for the notification class; column 4, lines 38 – 52 of Nguyen], and rendering the notification if the notification classification is listed in the list of selected classifications [type of event may be determined from the event ID...if the event is not a notification event, the event is handled in step 811...if the event in step 808 is a notification event, the state of the notification class is updated, if needed, in step 809 based on the specific event...in step 810, user notification is performed; col. 13, lines 35 – 50 of Nguyen].

17. As to claim 16, Havekost as modified teaches rendering the notification in the notification medium in accordance with the notification classification [Each applet event is an instance of an applet event class, and contains an event ID...the event ID is used by an event handler to classify the type of event for use in determining an appropriate response to the event...the response to an applet event entails one or more forms of user notification, such as changing the button icon in the selection bar, setting a fixed or flashing glyph on the button icon, displaying a message in a dialog box, or playing an audio clip; column 12, lines 20 – 40 of Nguyen].

18. As to claim 17, Havekost as modified teaches rendering the notification accordance with a user preference [configuration files list the button icons to be displayed in the selection bar and provide information associated with each button icon...Identification of the button icons, or buttons, to be included in the selection bar may be provided as a property in a configuration file; column 10, lines 39 – 47 of Nguyen].

19. As to claim 18, Havekost as modified teaches the user preference [configuration file; column 10, lines 45 – 67 of Nguyen], positional location being a location on a display where the notification is to be displayed [see the rejection to claim 3 above], the classification size being an area in a display area where the notification is to be displayed [type of display mode; column 10, line 56 – column 11, line 2 of Nguyen], determining if the classification enable is enabled for the notification classification [Event

Journal is modified under user control by disabling or enabling specified classes of events to be recorded; col. 32, lines 3 – 9 of Havekost], and if the classification enable is enabled for the notification classification, rendering the notification at the positional location and at a size equal to the classification size [the event ID is used by an event handler to classify the type of event for use in determining an appropriate response to the event...the response to an applet event entails one or more forms of user notification, such as changing the button icon in the selection bar, setting a fixed or flashing glyph on the button icon, displaying a message in a dialog box, or playing an audio clip; column 12, lines 20 – 40 of Nguyen].

20. As to claims 19 and 20, Havekost teaches determining one of a contact classification [a setIcon () method to change the image of the button icon in the selection bar to indicate that new mail has arrived...setFlashingGlyph (), setFixedGlyph (), and showMessageDialog (); column 12, lines 20 – 40 of Nguyen], a financial classification [calendar applet can display a small pop-up window with appointment information; column 9, lines 46 – 59 of Nguyen], and an audio classification [playAudioClip (); column 12, lines 20 – 40 of Nguyen].

21. As to claim 23, Havekost as modified teaches rendering the notification using the rendering type [configuration files list the button icons to be displayed in the selection bar and provide information associated with each button icon...Identification of the

button icons, or buttons, to be included in the selection bar may be provided as a property in a configuration file; column 10, lines 39 – 47 of Nguyen].

22. As to claims 26 and 27, Havekost as modified teaches updating a history of notifications [history services subsystem stores and retrieves process and event information; col. 19, lines 23 – 43 of Havekost]. As to flushing notifications, see the rejection to claim 12 above.

23. As to claims 28 and 29, Havekost as modified teaches displaying the history [history services subsystem stores and retrieves process and event information; col. 19, lines 20 – 40 of Havekost], and performing at least one action if a notification in the history is selected [allowing a user to enter commands to control operation of the process control environment 100; col. 19, lines 20 – 40 of Havekost] by a user selection device [user environment subsystem supplies a user interface; col. 19, lines 20 – 40 of Havekost].

24. **Claims 21, 22, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Havekost and Nguyen in view U.S. Patent NO. 6,542,868 to Badt [cited in the previous office action].**

25. As to claim 21, Havekost as modified does not teach sending a pre-notification notification prior to performing the step of rendering the notification.

However, Badt teaches sending a pre-notification notification prior to performing the step of rendering the notification [system notifies the user of the selected notification prior to playing the message corresponding to the selected notification; col. 2, lines 5 – 15 of Badt].

26. It would have been obvious to a person of ordinarily skilled in the art at the time of the invention to apply the teaching of sending a pre-notification notification prior to performing the step of rendering the notification as taught by Badt to the invention Havekost as modified because this prepares the user for an incoming notification.

27. As to claim 22, Havekost as modified teaches converting a text message into an audio [text-to-speech] message [messages may be predefined scripts, text-to-speech, or recorded audio; col. 4, lines 1 – 15 of Badt].

28. As to claim 30, Havekost as modified teaches performing at least one action [play message] if the notification is selected by a user selection [microphone] device [interface notifies the user of a selected notification, and it queries the user as to whether the message corresponding to the selected notification should be played... user responds to the query by speaking into the microphone 30; col. 5, lines 60 – 67 of Badt].

29. As to claim 31, Havekost as modified teaches performing at least one action if one of a keyword and a key-phrase is spoken by a user [audio signals received by the computer are conventionally provided to the speech recognition engine application 26

via the computer operating system 24 in order to perform speech recognition functions; col. 3, lines 38 – 50 of Badt].

30. **Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Havekost and Nguyen in view of U.S. Patent No. 6,144,942 to Ruckdashel [cited in previous office action].**

31. As to claim 9, see the rejection to claim 6 with regards to selecting one of one of a display notification and an audio notification. Havekost as modified does not appear to teach a pager notification.

However, Ruckdashel teaches a method of event notification using a pager [boxes 713 and 715 relate to other methods, email and wireless messenging device or pager, of notifying the user as the specified appointment approaches; column 5, lines 20 – 36].

32. It would have been obvious to a person of ordinary skill in the art at the time of the invention to apply the teaching of a pager notification as taught by Ruckdashel to the invention of Havekost as modified because pager notification allows a user who is away from their computer to be notified of an event.

33. **Claims 5 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Havekost in view of U.S. Patent No. 6,405,204 to Baker [cited in previous office action].**

34. As to claim 5, Havekost does not teach XML-based notification.

However, Baker teaches providing news alerts to users [col. 3, lines 10 – 35] using XML-based notification [users can also specify a format for each alert, for example, text, HTML, or XML; col. 17, lines 40 – 50].

35. It would have been obvious to a person of ordinarily skilled in the art at the time of the invention to apply the teaching of XML-based notifications as taught by Baker to the invention of Havekost because XML documents tie services and application server events together in a meaningful way, forming a coherent set of applications.

36. As to claim 32, Havekost as modified teaches rendering the notification in one of a long version [send company related news AND send news that relates to all the sectors to which the company belongs; col. 4, lines 50 – 67] and a short version [News Alert by Sector; col. 4, lines 50 – 67].

37. **Claims 7, 8, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Havekost and Nguyen further in view of U.S. Patent No. 6,317,128 to Harrison [cited in previous office action].**

38. As to claims 7, 8, 24 and 25, Havekost as modified teaches selecting one of [a possible response to an applet event indicating receipt of new mail is to call a setIcon () method to change the image of the button icon in the selection bar to indicate that new

mail has arrived...other notification methods may be called by the event handler of notification class 601 in response to specific events include setFlashingGlyph (), setFixedGlyph (), playAudioClip () and showMessageDialog (), Fig. 6; column 12, lines 20 – 40 of Nguyen], an animated display [calendar applet can display a small pop-up window with appointment information, and the clock can animate to display the time; column 9, lines 45 – 57 of Nguyen] and a normal display [pop-up window]. Havekost as modified does not teach a transient display and an alpha-blended display.

However, Harrison teaches variably transparent objects such as menus, tool palettes, windows, and dialogue boxes [see abstract]. Harrison also teaches a transient display [a dialog box or warning message interrupts and selecting a pull-down menu (or pie menu) which temporarily blocks part of an active window; col. 5, line 65 – col. 6, line 8] and generating semi-transparent objects [alpha-blended display] to blend a background color intensity with the color intensity of the image below a foreground object [col. 7, line 60 – col. 8, line 5].

39. It would have been obvious to a person of ordinarily skilled in the art at the time of the invention to apply the teaching of an alpha-blended display as taught by Harrison to the invention of Havekost as modified because variably-transparent GUIs allow multiple object image layers to be simultaneously observed [col. 2, lines 38 – 50 of Harrison].

Response to Arguments

40. Applicant's arguments filed March 15, 2004 have been fully considered but they are not persuasive.

Applicant argues, "Badt et al. teaches sending a notification to the user to determine if the message corresponding to the notification should be played" [p. 11, lines 29 – 31]. Examiner respectfully disagrees because Badt teaches the system can play the notification or query the user whether to play the notification message [col. 2, lines 10 – 12]. Badt can play the notification or query the user to determine if the notification should be played or not after sending a pre-notification message.

Conclusion

41. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

42. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (703) 305-3406. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703) 305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Li B. Zhen
Examiner
Art Unit 2126

lbz
May 28, 2004

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